

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

CARTER ANDERSON,

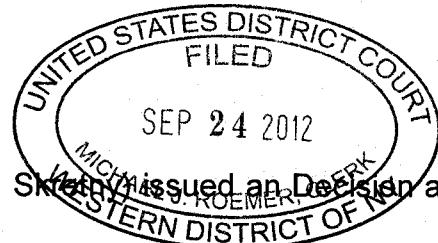
Plaintiff,

-v-

C.O. WAGNER, et al.,

Defendants.

11-CV-0014S  
ORDER



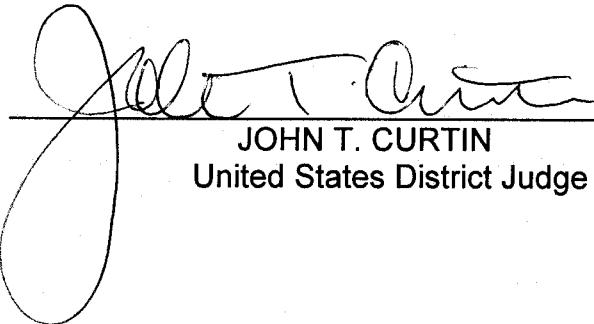
On August 9, 2012, the Court (Hon. William M. Skyrum) issued an Decision and Order that, *inter alia*, dismissed with prejudice certain claims plaintiff had pled in an amended complaint and directed that the remaining claims be served upon the remaining defendants. The Decision and Order also noted that with respect to plaintiff's procedural due process claim which alleged that he was not provided with due process at the Superintendent Hearing(s) conducted regarding a weapons and/or "dirty urine" charge(s) for which he was issued a misbehavior report(s), the amended complaint did not name as defendant(s) the Hearing Officer(s) who conducted the Superintendent Hearing(s) complained about or some other individual(s) he claims denied him due process in relation to the charges and Hearing(s). The Court, therefore, directed plaintiff to identify those individuals, at which time it would direct that the caption of this action be amended to include those individuals as defendants and that they be served with the summons and amended complaint. (Docket No. 12 ,Decision and Order, at 19-21, 30.)

On August 24, 2012, plaintiff identified Captain Robinson an Deputy Superintendent for Programs Dolce as the two individuals who were the "Hearing Officers which the due process claims [were] intended to be brought." (Docket No. 13.)

Accordingly, the Clerk of the Court is directed to amend the caption of this matter to include both Captain Robinson and Dolce, Deputy Superintendent of Programs, as defendants and to cause the United States Marshals Service to serve the Summons and Amended Complaint, along with this Order and the Decision and Order, filed August 9, 2012 (Docket No. 12) upon defendants Robinson and Dolce.

SO ORDERED.

DATED: 9/21, 2012  
Buffalo, New York

  
JOHN T. CURTIN  
United States District Judge